

Message

From: Fogarty, Johnpc [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8546B387C687410D88EEEE387DADDF56-JFOGAR02]
Sent: 12/21/2016 1:26:50 PM
To: Welles, Laura [Welles.Laura@epa.gov]
Subject: RE: Draft third party audit -- EPA revisions

Yes I do expect we may need to caucus periodically. I printed out their version of the audit, btw, to read it more closely (I'm still somewhat old-school and do better with hardcopies), so you can skip that one. Thx!!

-----Original Message-----

From: Welles, Laura
Sent: Wednesday, December 21, 2016 8:23 AM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Subject: RE: Draft third party audit -- EPA revisions

Ex. 5 AC/AWP/DP

-----Original Message-----

From: Fogarty, Johnpc
Sent: Tuesday, December 20, 2016 7:53 PM
To: Welles, Laura <Welles.Laura@epa.gov>
Subject: Re: Draft third party audit -- EPA revisions

Ex. 5 AC/AWP/DP

Sent from my iPhone

> On Dec 20, 2016, at 6:22 PM, Welles, Laura <Welles.Laura@epa.gov> wrote:

>

Ex. 5 AC/AWP/DP

> **From:** Fogarty, Johnpc
> **Sent:** Tuesday, December 20, 2016 5:22 PM
> **To:** Welles, Laura <Welles.Laura@epa.gov>
> **Subject:** Re: Draft third party audit -- EPA revisions

Ex. 5 AC/AWP/DP

> Sent from my iPhone

>

> On Dec 20, 2016, at 5:05 PM, Welles, Laura <Welles.Laura@epa.govmailto:Welles.Laura@epa.gov> wrote:

Ex. 5 AC/AWP/DP

>
> I haven't had a chance to look at the third-party audit yet - I will before I leave tonight.
>
> From: Fogarty, Johnpc
> Sent: Tuesday, December 20, 2016 4:46 PM
> To: Welles, Laura <Welles.Laura@epa.gov<mailto:Welles.Laura@epa.gov>>
> Subject: Fw: Draft third party audit -- EPA revisions
>

Ex. 5 AC/AWP/DP

>
> From: Jennifer Hartman King <JHartmanKing@kingwilliamslaw.com<mailto:JHartmanKing@kingwilliamslaw.com>>
> Sent: Tuesday, December 20, 2016 3:27 PM
> To: Welles, Laura; John Hempfling (CE CEN)
> Cc: Fogarty, Johnpc
> Subject: RE: Draft third party audit -- EPA revisions
>

> Hi, John and Laura.
>
>

> Thank you for sending your comments and proposed revisions to the draft third party audit provisions. We reviewed them today, and thought it might be helpful to send you our feedback in advance of our meeting tomorrow. Attached, please find a mark-up showing our requested revisions and a clean copy with our revisions incorporated.
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>

> Also, I have attached a copy of the SEP Workplan we submitted to EPA Region 6. We would like to discuss with you the possibility of implementing a similar SEP in WFM's potential agreement with your office.
>
>

> We look forward to seeing you tomorrow.
>
>

> Jennifer Hartman King, Managing Partner
>

> <image002.png>
>
>

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> Sacramento, CA 95814
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> Email: JHartmanKing@KingWilliamsLaw.com<mailto:JHartmanKing@KingWilliamsLaw.com>
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>
> From: Welles, Laura [mailto:Welles.Laura@epa.gov]
> Sent: Monday, December 19, 2016 11:37 AM
> To: John Hempfling (CE CEN) <John.Hempfling@wholefoods.com<mailto:John.Hempfling@wholefoods.com>>;
Jennifer Hartman King <JHartmanKing@kingwilliamsllaw.com<mailto:JHartmanKing@kingwilliamsllaw.com>>
> Cc: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov<mailto:Fogarty.Johnpc@epa.gov>>
> Subject: Draft third party audit -- EPA revisions
>
>
>
> Hi Jenn and John,
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> We realize you are traveling east today, but we wanted to get back to you about our discussion last
week regarding the draft third party audit provisions. As we discussed (and you'll find in the attached
revised audit), we are agreeable to most of the changes you proposed on 12-12-16. The only changes you'll
find in the attached revised audit relate to certain provisions that EPA needs to have in an audit. These
include:
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Ex. 4 CBI

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> Please let us know if you have any questions regarding the audit and our proposed changes. Perhaps we
can touch base on the audit tomorrow during our check-in call. Although we haven't received a meeting
invite yet, we did place a hold for a potential call tomorrow from 11 am to noon EST.
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> Also - in order to discuss numbers (i.e., SEPs and penalty) this Wednesday, we need to get Appendix A.
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> Safe travels and we look forward to seeing you Wednesday at 9 am EST.
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> Laura
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> Laura Welles
> Attorney Advisor
> Waste and Chemical Enforcement Division
> Office of Civil Enforcement
> U.S. Environmental Protection Agency
> (202) 564-2754
>
>
>
>

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> <Draft DR language_12-19-16.docx>

> <Proposed Final Order 11_10_16.docx>

> <Draft WFM penalty calculations_12-20-16.pdf>